

### **REMARKS**

Claims 14-27 and 39-52 remain. Claims 14, 26, and 27 are amended. Claims 32-38 have been canceled. New claims 39-52 have been added and are fully supported in the specification. No new matter has been added. Applicant respectfully requests favorable reconsideration and allowance in light of the remarks contained herein.

### **Applicant's Record Under M.P.E.P. § 713.04 of Interview with the Examiner**

Applicant's attorneys appreciate the Examiners' time and consideration in conducting the telephone interview of May 28, 2008. Applicant respectfully submits the following record of the telephone interview under M.P.E.P. § 713.04.

The following persons participated in the interview: Examiner Daniel P. Vetter; and Applicant's Attorneys Michael A. Papalas (Reg. No. 40,381) and Nathan J. Rees.

Possible amendments to claim 14 were discussed in light of embodiments disclosed in the present specification and figure 1 regarding a plurality of vendors. It was noted that this embodiment appeared to be distinguished over the cited art. Further, other embodiments disclosed in the specification were discussed in light of the Pierce reference. The shortfalls in the teachings of Pierce were discussed in the context of these embodiments. The restriction of claims 32-37 was discussed, however, this is now moot in light of the present amendment.

### **New Claims**

New claims 39-52 have been added. These claims represent embodiments discussed in the interview summary which appeared to be patentable over the cited art. For example, the cited art does not appear to teach a postage kiosk having a payment acceptance means and a communication module having the features as recited in claim 39, nor does the art teach "configuring said postage meter to access one or more remote postage accounts not directly related to the local postage account" as recited in claim 46. It is noted that these claims are fully supported in the specification, *see e.g.* ¶¶ [0006]-[0007], [0021]-[0022]; [0027]-[0028]; and figure 1.

**Claim Rejections 35 U.S.C. § 102**

Claims 14-16, 18, 20-21, and 24-26 are rejected under 35 U.S.C. § 102 as being anticipated by Pierce et al. (U.S. Pat. 6,151,591, hereinafter “Pierce”). “A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference,” *Verdegaal Bros. v. Union Oil Co. of Cal.*, 814 F.2d 628, 631, 2 U.S.P.Q.2d 1051, 1053 (Fed. Cir. 1987). Because the Pierce reference fails to teach each and every claim element in the present application, Applicant respectfully requests withdrawal of the above rejection.

Claim 14 recites “configuring the local postage evidencing system to communicate with a plurality of vendors providing access to a plurality of remote postage accounts.” As noted in the interview, Pierce does not teach a local postage evidencing system that communicates with a plurality of vendors which provide a plurality of remote postage accounts.

Claims 15, 16, 18, 20, 21, and 24-26 depend either directly or indirectly from independent claim 14, and thus, inherit each and every limitation of independent claim 14. As a result, claims 15, 16, 18, 20, 21, and 24-26 are allowable for at least the reasons set forth above. Further, dependent claims 15, 16, 18, 20, 21, and 24-26 contain aspects that are patentable in their own right.

**Claim Rejections 35 U.S.C. § 103**

Claims 17 is rejected under 35 U.S.C. § 103 as being unpatentable over Pierce in view of Cordery et al. (U.S. Pat. 5,454,038, hereinafter “Cordery”). To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be shown by the prior art. *In re Royka*, 490 F.2d 981, 180 U.S.P.Q. 580 (C.C.P.A. 1974). Claim 17 depends directly from independent claim 14, and thus, inherits each and every limitation of independent claim 14. As shown above with respect to claim 14, Pierce fails to teach each and every limitation of the claim. Applicant notes that Cordery does not remedy this deficiency. As a result, claim 17 is allowable for at least the reasons set forth above. Further, dependent claim 17 contains aspects that are patentable in their own right.

Claim 19 is rejected under 35 U.S.C. § 103 as being unpatentable over Pierce in view of Lee et al. (U.S. Pat. 5,742,683, hereinafter “Lee”). To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be shown by the prior art. *In re Royka*, 490 F.2d 981, 180 U.S.P.Q. 580 (C.C.P.A. 1974). Claim 19 depends directly from independent claim 14, and thus, inherits each and every limitation of independent claim 14. As shown above with respect to claim 14, Pierce fails to teach each and every limitation of the claim. Applicant notes that Lee does not remedy this deficiency. As a result, claim 19 is allowable for at least the reasons set forth above. Further, dependent claim 19 contains aspects that are patentable in their own right.

Claims 22-23 are rejected under 35 U.S.C. § 103 as being unpatentable over Pierce in view of Eddy et al. (U.S. Pat. 5,812,400, hereinafter “Eddy”). To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be shown by the prior art. *In re Royka*, 490 F.2d 981, 180 U.S.P.Q. 580 (C.C.P.A. 1974). Claims 22-23 depend either directly or indirectly from independent claim 14, and thus, inherit each and every limitation of independent claim 14. As shown above with respect to claim 14, Pierce fails to teach each and every limitation of the claim. Applicant notes that Eddy does not remedy this deficiency. As a result, claims 22-23 are allowable for at least the reasons set forth above. Further, dependent claims 22-23 contain aspects that are patentable in their own right.

Claim 27 is rejected under 35 U.S.C. § 103 as being unpatentable over Pierce in view of Bator et al. (U.S. Pat. Pub. 2002/0046193, hereinafter “Bator”). To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be shown by the prior art. *In re Royka*, 490 F.2d 981, 180 U.S.P.Q. 580 (C.C.P.A. 1974). Claim 27 depends directly from independent claim 14, and thus, inherits each and every limitation of independent claim 14. As shown above with respect to claim 14, Pierce fails to teach each and every limitation of the claim. Applicant notes that Bator does not remedy this deficiency. As a result, claim 27 is allowable for at least the reasons set forth above. Further, dependent claim 27 contains aspects that are patentable in their own right.

**Conclusion**

In view of the above, Applicant believes the pending application is in condition for allowance and respectfully requests favorable reconsideration.

Applicant will pay all fees for the Request for Continued Examination online by credit card. However, if any additional fee is due, please charge our Deposit Account No. 06-2380, under Order No. 61135/P024US/10303362 from which the undersigned is authorized to draw.

Dated: June 30, 2008

Respectfully submitted,

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